

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

VICTOR ROSARIO,)
Plaintiff,) Case No. 1:19-cv-10532
v.) Hon. Leo T. Sorokin,
HAROLD G. WATERHOUSE, *et al.*,) District Judge
Defendants.) **JURY TRIAL DEMANDED**

MOTION REGARDING DECEASED DEFENDANTS

Plaintiff VICTOR ROSARIO, by his attorneys, respectfully moves this Court to either (a) permit him to proceed against Deceased Defendants JOHN R. NEWELL, JOSEPH M. McGARRY, LARRY B. McGLASSON, JOHN R. MYERS, and WILLIAM M. GILLIGAN in their own names, serving Defendant City of Lowell with the required process; or, alternatively, (b) appoint Lowell City Clerk Michael Geary as personal representative to defend this suit on behalf of these Deceased Defendants, and substitute him as a party in this action in that capacity. In support, Plaintiff respectfully submits the accompanying Memorandum of Law in Support of Plaintiff's Motion Regarding Deceased Defendants.

RESPECTFULLY SUBMITTED,

/s/ Steven Art
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Steven Art, an attorney, hereby certify that on August 12, 2019, I filed the foregoing MOTION REGARDING DECEASED DEFENDANTS using the Court's CM/ECF system, which effected service on all counsel of record.

/s/ Steven Art
One of Plaintiff's Attorneys

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